

BEFORE THE VIRGINIA BOARD OF VETERINARY MEDICINE

Board of Veterinary Medicine, )  
Complainant, )  
v. )  
Carlton N. Elam, Jr., D.V.M., )  
Elam Animal Hospital )  
17600 Midlothian Pike )  
Midlothian, Virginia 23113 )  
Respondent. )

CONSENT ORDER

FINDINGS OF FACT

1. Carlton N. Elam, Jr., D.V.M., of Midlothian, Virginia, holds veterinarian license number 1277, issued by the Virginia Board of Veterinary Medicine.
2. Carlton N. Elam, Jr., D.V.M., operates the Elam Animal Hospital, 17600 Midlothian Pike, Midlothian, Virginia 23113, which is a duly registered animal facility, permit number 146.
3. On March 1, 1981, Carlton N. Elam, Jr., D.V.M., did induce a mare to foal without attending the mare during parturition. There was a difficult delivery, and the foal was born dead.
4. On February 17, 1983, the Board held an informal conference with Dr. Elam, pursuant to Section 9-6.14:11 of the Code of Virginia (1950), as amended.

CONCLUSIONS OF LAW

The Board concludes that the Findings of Fact constitute violations of the law as follows:

1. Finding of Fact 3 constitutes a violation of Section 54-786.4 (9) of the Code of Virginia (1950), as amended, and Board Regulation 15 (E).

CONSENT

Carlton N. Elam, D.V.M., by affixing his signature hereon, agrees to the following:

1. He acknowledges that he has been specifically advised to seek advice of counsel prior to signing this document.
2. He acknowledges that he is fully aware that without his consent no legal action can be taken against him except: 1) under Section 54-786.5 of the Code of Virginia (1950), as amended, or 2) after a hearing held in accordance with the Virginia Administrative Process Act, Section 9-6.14:11 et seq. of the Code of Virginia (1950), as amended.
3. He acknowledges that he has the following rights, among others: the right to a formal fact-finding hearing before the Board, to reasonable notice of said hearing, to representation by counsel, and to cross-examine witnesses against him.
4. He waives all such rights to a hearing.
5. He admits the truth of the above Findings of Fact.
6. He consents to the entry of the following Order of the Board of Veterinary Medicine.

ORDER

On the basis of the foregoing Findings of Fact, Conclusions of Law, and Consent of the licensee, the Board hereby ORDERS that Carlton N. Elam, D.V.M., pay a monetary penalty of two hundred fifty dollars (\$250) within thirty (30) days of receipt of this order and that he accede to the accompanying letter of reprimand, attached hereto, which becomes a part of this order.

Carlton N. Elam DVM  
Carlton N. Elam, D.V.M.

I, Charlotte D. Ulmer, a notary public in and for the  
State of Virginia do certify that Carlton N. Elam, D.V.M.  
personally appeared before me and made oath that to the best of his knowledge and  
belief, the matters and things stated in this petition are true.

Given under my hand this 29 day of March, 1983.

Charlotte D. Ulmer  
Notary Public  
My commission expires: 9-17-84

John A. Mayo DVM  
John A. Mayo, D.V.M., President  
VIRGINIA BOARD OF VETERINARY MEDICINE  
Entered: 4-27-83